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November 25, 1992

Ms. Mary Elaine Gustafson
Remedial Project Manager
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

Re: HIMCO Dump Site, Elkhart, Indiana Public Comment

Dear Ms. Gustafson:

Oh behalf of the Hermaseal Company, we hereby submit the following public comment with respect to the HIMCO dump site and the identification of the Hermaseal Company as a potentially responsible party ("PRP") at this site. Please include these comments in the public records.

The Hermaseal Company believes that it is being wrongly accused and should not be identified as a PRP at this site. Prior to the September, 1976, closure of the HIMCO site, the Hermaseal Company generated a small quantity of general refuse. As has previously been stated in its prior response to U.S. EPA's information request, this general refuse comprised of general office waste paper, waste shipping materials (paper/cardboard boxes), broken pallets and, from time to time dependant on the season of the year, yard trimming waste. Our records reflect that one or two 8 cubic yard containers were picked up per week. To the best of our knowledge, Hermaseal began services with HIMCO in approximately July, 1970.

Based on the size of the landfill, the volume of waste generated by Hermaseal, and the contaminants of concern at this

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site, there is simply no evidence to suggest that Hermaseal contributed to the contamination at this site. Moreover, to the best of Hermaseal's knowledge, there is no direct evidence that the refuse generated by Hermaseal was even delivered to the HIMCO Road 10 site. If, in fact, waste stopped going to the County Road 10 site prior to April, 1976, it is unlikely that the company's general refuse was even delivered to this site.

Based on the lack of any evidence suggesting that Hermaseal contributed, in any way, to the contamination discovered at the HIMCO dump site, Hermaseal hereby requests that it be deleted from the PRP list at this site.

It is our understanding that Miles Inc. has submitted public comments recommending a "No Action" alternative, and requesting that this site be delisted from the National Priorities List. Miles' comments are based on the fact that U.S. EPA's own test results have indicated that no toxic levels of any hazardous substances are leaving this site. Hermaseal agrees with the comments contained in Miles' public comment and incorporates it by reference.

Very truly yours,



Kenneth W. Vermeulen
Attorney for Hermaseal Company

jsm

cc: Mr. George B. Bucklen